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## Commerce & Labor Committee

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### SSB 6615

**Brief Description:** Encouraging employment of workers with developmental disabilities.

**Sponsors:** Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Mulliken, Rasmussen and Prentice).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Authorizes the Department of Labor and Industries to adopt "preferred worker" rules to encourage employment of injured workers who have a developmental disability.</li></ul>
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**Hearing Date:** 2/18/04

**Staff:** Jill Reinmuth (786-7134).

**Background:**

In 1977, to encourage employment of injured workers, the Legislature authorized the Department of Labor and Industries (Department) to adopt rules providing relief from premiums and claim costs for employers that hire these workers. In 1980, the Department adopted rules establishing the "preferred worker" program.

"Preferred workers" are persons who have sustained industrial injuries or occupational diseases that prevent them from returning to work with their former employers and that substantially impair the likelihood of their reemployment with other employers. State fund employers that employ preferred workers are excused from paying Accident Fund premiums and Medical Aid Fund premiums which would otherwise be due for up to 36 months. State fund employers are not charged and self-insured employers are reimbursed for the costs of injuries or diseases sustained by preferred workers during the first 36 months of their employment. These incentives are available only to employers other than their employers at the time of injury.

**Summary of Substitute Bill:**

To encourage employment of injured workers who have a developmental disability, the Department of Labor and Industries is authorized to adopt rules providing relief from premiums and claim costs for employers that employ these workers. These incentives are available to all employers, including their employers at the time of injury.

"Developmental disability" is defined in the same manner as it is defined for purposes of state and local services for persons with developmental disabilities. It means a disability attributable to

mental retardation, cerebral palsy, epilepsy, and autism. It also includes neurological or other conditions found by the Secretary of Social and Health Services to be closely related to mental retardation or to require treatment similar to that required for persons with mental retardation. The disability or condition must originate before the person attains age 18, must have continued or be expected to continue indefinitely, and must constitute a substantial handicap to the person.

**Rules Authority:** Authorizes the Department of Labor and Industries to adopt "preferred worker" rules to encourage employment of injured workers who have a developmental disability.

**Appropriation:** None.

**Fiscal Note:** Requested on February 16, 2004.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.